

ARTICLE 5

ADMINISTRATION AND PROCEDURE

SECTION 5-1. **Enforcement.** It shall be the duty of the Building Commissioner to enforce the provisions of this code.

SECTION 5-2. **Procedure for Appeal.** Every appeal to the Board of Appeal shall be in writing and on a form prescribed by said Board. Every such appeal shall refer to the specific provisions of this code involved, and shall exactly set forth the interpretation that is claimed, the conditional use for which permission is sought, or the details of the variance that is applied for and the grounds on which it is claimed that the variance should be granted, as the case may be. A copy of every decision of the Board of Appeal on a matter on which the Boston Redevelopment Authority has filed a report shall be transmitted by said Board to said Authority.

↔SECTION 5-3. **Limitation on Appeal.** If an appeal for an interpretation, conditional use, or variance is decided by the Board of Appeal adversely to the appellant, no appeal for the same interpretation, conditional use, or variance shall be considered on its merits by said Board within one year after such adverse decision, except with the concurring vote of not less than five of the members of said Board.

(↔As amended on July 31, 1997)

↔SECTION 5-4. **Estimated Cost of a Hearing on a Proposed Amendment.** The estimated average cost to the City of a hearing before the Zoning Commission on a proposed amendment of this code is hereby established as two hundred and seventy-five dollars.

(↔As amended on May 26, 1970, August 18, 1980, April 22, 1985, and September 17, 1990)

↔SECTION 5-5. **Authorization of Commissioner of Inspectional Services Department to Hold Permit Application in Pending Status.** If the Zoning Commission gives public notice of an amendment to this code proposing a change in or addition to its provisions, either in its text or in its maps, which may affect a permit application then in process before the Commissioner of the Inspectional Services Department, the Commissioner may hold such application in a pending status until the date by which the Zoning Commission according to its own procedural rules and regulations must decide to either adopt or reject the proposed amendment or until the effective date of a decision by the Zoning Commission on the proposed amendment which originally allowed the Commissioner to hold such application in a pending status, whichever occurs

first; provided that the Commissioner may act on the application if the application meets the more restrictive or additional provisions, or if the Zoning Commission fails to act on the first proposed zoning change affecting a permit application within the time period established by its own rules and regulations.

(↔As inserted on July 27, 1987)